

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOHN BERMAN,

No. C-09-4065 MMC

Plaintiff,

**ORDER DISCHARGING ORDER TO
SHOW CAUSE**

v.

OPENTV CORP., et al.,

Defendants

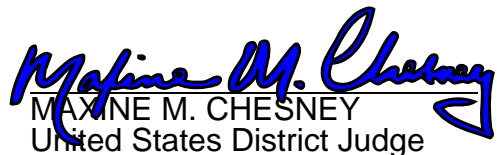
Before the Court is plaintiff's response to the Court's January 29, 2010 order directing plaintiff to show cause why sanctions should not be imposed for his failure to appear at the January 29, 2009 Case Management Conference.¹

Having read and considered plaintiff's response, the Court finds the failure to appear to have been the result of an oversight and, under the circumstances presented, declines to impose sanctions.

Accordingly, the order to show cause is hereby DISCHARGED.

IT IS SO ORDERED.

Dated: February 4, 2010


MAXINE M. CHESNEY
United States District Judge

¹The response was electronically filed on February 2, 2010.